

## House Resolution 12 - Introduced

HOUSE RESOLUTION NO. 12

BY COMMITTEE ON ETHICS

(SUCCESSOR TO HSB 13)

1 A Resolution relating to the rules governing lobbyists  
2 in the House of Representatives.

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
4 That the House Rules Governing Lobbyists shall be as  
5 follows:

### 6 HOUSE RULES GOVERNING LOBBYISTS

7 1. DEFINITIONS OF TERMS. As used in these  
8 rules, "client", "gift", "immediate family member",  
9 "lobbyist", and "person" have the meanings provided  
10 in section 68B.2 of the Code, except that the terms  
11 "lobbyist" and "client" shall only refer to persons  
12 who are lobbyists or clients of lobbyists of the house  
13 of representatives. Except as otherwise provided,  
14 "employee of the house" means a full-time permanent  
15 paid employee of the house of representatives.

### 16 2. REGISTRATION REQUIRED.

17 a. All lobbyists shall, on or before the day their  
18 lobbying activity begins, register in the manner  
19 provided under section 68B.36 of the Code. Lobbyist  
20 registration forms shall be available in the office of  
21 the chief clerk of the house.

22 b. In addition each registered lobbyist shall file  
23 with the chief clerk of the house a statement of the  
24 general subjects of legislation in which the lobbyist  
25 is or may be interested, the file number of the bills  
26 and resolutions and the bill number of study bills,  
27 if known, which will be lobbied, whether the lobbyist

1 intends to lobby for or against each bill, resolution,  
2 or study bill, if known, and on whose behalf the  
3 lobbyist is lobbying the bill, resolution, or study  
4 bill. A lobbyist filing a declaration for a bill,  
5 resolution, or study bill may also submit a position  
6 statement with the declaration explaining the position  
7 of the lobbyist's client on the bill, resolution, or  
8 study bill. The chief clerk of the house shall include  
9 in the electronic bill declaration system a method for  
10 the submission of position statements by lobbyists.

11 Any change in or addition to the information  
12 required by this rule shall be registered with the  
13 chief clerk of the house within ten days from the time  
14 the change or addition is known to the lobbyist.

15 c. Beginning with lobbyist registration for the  
16 2012 session of the Eighty-fourth General Assembly,  
17 lobbyist registration shall include an affirmation by  
18 the lobbyist regarding compliance with rule 16.

19 d. A lobbyist who represents the position of a  
20 state government agency, in which the person serves  
21 or is employed as the designated representative for  
22 purposes of encouraging the passage or defeat of  
23 legislation, shall comply with rule 20 of the house  
24 rules.

25 3. CANCELLATION OF REGISTRATION. If a lobbyist's  
26 service on behalf of a particular employer, client, or  
27 cause is concluded after the lobbyist registers but  
28 before the first day of the next legislative session,  
29 the lobbyist shall cancel the registration in the  
30 manner required under section 68B.36 of the Code. Upon

1 cancellation of registration, a person is prohibited  
2 from engaging in any lobbying activity on behalf  
3 of that particular employer, client, or cause until  
4 reregistering and complying with the requirements of  
5 section 68B.36 of the Code.

6 4. AMENDMENT OF REGISTRATION. If a registered  
7 lobbyist represents more than one employer, client,  
8 or cause and the lobbyist's services are concluded  
9 on behalf of a particular employer, client, or cause  
10 after the lobbyist registers but before the first day  
11 of the next legislative session, the lobbyist shall  
12 file an amendment to the lobbyist's registration  
13 indicating which employer, client, or cause is no  
14 longer represented by the lobbyist and the date upon  
15 which the representation concluded.

16 If a lobbyist is retained by one or more additional  
17 employers, clients, or causes after the lobbyist  
18 registers but before the first day of the next  
19 legislative session, the lobbyist shall file an  
20 amendment to the lobbyist's registration indicating the  
21 employer, client, or cause to be added and the date  
22 upon which the representation begins.

23 Amendments to a lobbyist's registration regarding  
24 changes which occur during the time that the general  
25 assembly is in session shall be filed within one  
26 working day after the date upon which the change in  
27 the lobbyist's representation becomes effective.  
28 Amendments regarding changes which occur when the  
29 general assembly is not in session shall be filed  
30 within ten days after the date upon which the change in

1 the lobbyist's representation becomes effective.

2 5. PUBLIC ACCESS. All information filed by a  
3 lobbyist or a client of a lobbyist under chapter 68B  
4 of the Code is a public record and open to public  
5 inspection at any reasonable time.

6 6. CHARGE ACCOUNTS. Lobbyists and the clients  
7 they represent shall not allow members of the house  
8 to charge any amounts or items to a charge account to  
9 be paid for by those lobbyists or by the clients they  
10 represent.

11 7. ACCESS TO HOUSE FLOOR. Lobbyists shall only be  
12 permitted on the floor of the house pursuant to ~~rule 20~~  
13 ~~of the rules of the house~~ rules.

14 8. FEE OR BONUS PROHIBITED. A fee or bonus shall  
15 not be paid to any lobbyist with reference to any  
16 legislative action that is conditioned wholly or in  
17 part upon the results attained by the lobbyist.

18 9. OFFERS OF ECONOMIC OR INVESTMENT OPPORTUNITY. A  
19 lobbyist, employer, or client of a lobbyist shall not  
20 offer economic or investment opportunity or promise  
21 of employment to any member of the house with intent  
22 to influence conduct in the performance of official  
23 duties.

24 10. PERSONAL OR FINANCIAL OBLIGATION. A lobbyist  
25 shall not do anything with the purpose of placing  
26 a member of the house under personal or financial  
27 obligation to a lobbyist or a lobbyist's principal or  
28 agent.

29 11. ATTEMPTS TO CREATE ADDITIONAL EMPLOYMENT. A  
30 lobbyist shall not cause or influence the introduction

1 of any bill or amendment for the purpose of being  
2 employed to secure its passage or defeat.

3 12. CAMPAIGN SUPPORT. A lobbyist shall not  
4 influence or attempt to influence a member's actions  
5 by the promise of financial support for the member's  
6 candidacy or threat of financial support for an  
7 opposition candidate. A lobbyist shall not make a  
8 campaign contribution to a member or to a member's  
9 candidate's committee during the time that the general  
10 assembly is in session.

11 13. COMMUNICATION WITH MEMBER'S EMPLOYER  
12 PROHIBITED. A lobbyist shall not communicate with a  
13 member's employer for the purpose of influencing a vote  
14 of the member.

15 14. EXCESS PAYMENTS. A lobbyist shall not pay or  
16 agree to pay to a member a price, fee, compensation,  
17 or other consideration for the sale or lease of  
18 any property or the furnishing of services which is  
19 substantially in excess of that which other persons in  
20 the same business or profession would charge in the  
21 ordinary course of business.

22 15. PROHIBITION AGAINST GIFTS. A lobbyist or  
23 client of a lobbyist shall not, directly or indirectly,  
24 offer or make a gift or series of gifts to any member  
25 or full-time permanent employee of the house or the  
26 immediate family members of a member or full-time  
27 permanent employee of the house except as otherwise  
28 provided in section 68B.22 of the Code. A lobbyist  
29 or client of a lobbyist who intends or plans to give  
30 a nonmonetary item, other than food or drink consumed

1 in the presence of the donor, which does not have a  
2 readily ascertainable value, to a member or full-time  
3 permanent employee of the house, prior to giving or  
4 sending the item to the member or employee, shall seek  
5 approval of the item from the chief clerk of the house.  
6 A lobbyist or client of a lobbyist who seeks approval  
7 of an item from the chief clerk shall submit the item  
8 and evidence of the value of the item at the time that  
9 approval is requested.

10 16. GIFT LAW REQUIREMENTS. A lobbyist shall inform  
11 each of the lobbyist's clients of the requirements of  
12 section 68B.22 of the Code and of the responsibility to  
13 seek approval prior to giving or sending a nonmonetary  
14 item which does not have a readily ascertainable value  
15 to a member or a full-time permanent employee of the  
16 house.

17 ~~16.~~ 17. FINANCIAL TRANSACTIONS. A lobbyist shall  
18 not, directly or indirectly, make a loan to a member of  
19 the house or to an employee of the house.

20 A loan prohibited under this section does not  
21 include a loan made in the ordinary course of business  
22 of a lobbyist if the primary business of the lobbyist  
23 is something other than lobbying, if consideration of  
24 equal or greater value is received by the lobbyist,  
25 and if fair market value is given or received for the  
26 benefit conferred.

27 ~~17.~~ 18. HONORARIA — RESTRICTIONS. A lobbyist  
28 or client of a lobbyist shall not pay an honorarium  
29 to a member or employee of the house for a speaking  
30 engagement or other formal public appearance in the

1 official capacity of the member or employee except as  
2 otherwise provided in section 68B.23 of the Code.

3 ~~18.~~ 19. COMPLAINTS. The procedures for complaints  
4 and enforcement of these rules shall be the same as  
5 those provided in the house code of ethics.

6 ~~19.~~ 20. PROCEDURES AND FORMS. The chief clerk of  
7 the house, subject to the approval of the house ethics  
8 committee, shall prescribe procedures for compliance  
9 with these rules, and shall prepare forms for the  
10 filing of complaints and make them available to any  
11 person.